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TECH CENTER 1600/2900 PTO/SB/05 (4/98)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. CL000728

First Inventor or Application Identifier VENTER, J. Craig

Title DETECTION KITS, SUCH AS NUCLEIC ...

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☐ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing).
2. ☒ Specification [Total Pages 21]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
4. Oath or Declaration [Total Pages]
- a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☒ Computer Readable Copy (CD Rom)
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement of Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ * Small Entity Statement(s) filed in prior application,
Statement(s) Status still proper and desired
(PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Other: List of Inventors & Priority
Petition Under 37 CFR 1.183
CD-R, CL000728CDA

* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY
FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT
IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____/_____

Prior application information: Examiner _____

Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Celera Genomics Corp.				
	Attn: Robert Millman, Patent Director				
Address	45 West Gude Drive, C2-4#20				
City	Rockville	State	MD	Zip Code	20850
Country	US	Telephone	240-453-3067	Fax	240-453-3084

Name (Print/Type) Robert A. Millman

Registration No. (Attorney/Agent)

36,217

Signature

Robert A. Millman

Date

07/11/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



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RECEIPT OF THE FOLLOWING IS ACKNOWLEDGED IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE:

In re Appln. Serial No. (to be assigned)

Atty Dkt No.: CL000728

- ☒ Utility Patent Application Transmittal
- ☒ Utility Patent Application (21 pages, plus 1 sheet drawing):
 - 18 pages specification
 - 2 pages claims (claims 1-16)
 - 1 page abstract
 - 1 sheet drawing
- ☒ List of Inventors and Priority Information (1 page)
- ☒ Submission of CD-R and Sequence Listing CD-rom
- ☒ Petition Under 37 CFR 1.183 to Suspend Rules and Allow Submission of Sections of Application on CD-R Format
- ☒ Return receipt postcard

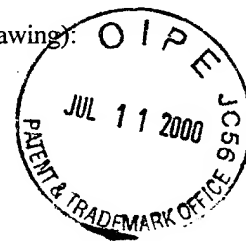
BOX: PATENT APPLICATION
Please affix serial number and return by mail

RECEIPT OF THE FOLLOWING IS ACKNOWLEDGED IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE:

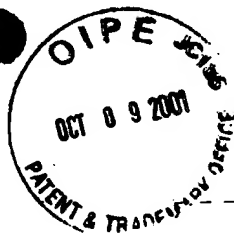
In re Appln. Serial No. (to be assigned)

Atty Dkt No.: CL000728

- ☒ Utility Patent Application Transmittal
- ☒ Utility Patent Application (21 pages, plus 1 sheet drawing):
 - 18 pages specification
 - 2 pages claims (claims 1-16)
 - 1 page abstract
 - 1 sheet drawing
- ☒ List of Inventors and Priority Information (1 page)
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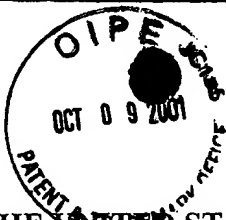
From

Applicant: VENTER, J. Craig et al. CDA "A"
Docket No.: CL000728-PROV
Recorded to Disk: July 11, 2000
For: DETECTION KITS, SUCH AS NUCLEIC ACID ARRAYS,
FOR DETECTING THE EXPRESSION OR 10,000 OR MORE
DROSOPHILA GENES AND USES THEREOF
Filing date: July 11, 2000
Application No.: (to be assigned)

From

Applicant: VENTER, J. Craig et al. CDA "B"
Docket No.: CL000728-PROV
Recorded to Disk: July 11, 2000
For: DETECTION KITS, SUCH AS NUCLEIC ACID ARRAYS,
FOR DETECTING THE EXPRESSION OR 10,000 OR MORE
DROSOPHILA GENES AND USES THEREOF
Filing date: July 11, 2000
Application No.: (to be assigned)

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OCT 12 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

In re Application of:

VENTER et al.

Serial No. (to be assigned)

Filed: July 11, 2000

For:

DETECTION KITS, SUCH AS NUCLEIC ACID
ARRAYS, FOR DETECTING THE EXPRESSION OR
10,000 OR MORE DROSOPHILA GENES AND USES
THEREOF

Art Unit:

Examiner:

Atty. Docket: CL000728

SUBMISSION OF CD-R

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

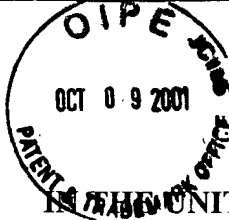
Applicant submits herewith a CD-R labelled CL000728CDA as referenced in the transmittal sheet of the above-identified application. The CD-R contains a MS Word file and Sequence Listing file identified in the accompanying Petition under 37 CFR 1.183.

Respectfully submitted,

By: Robert A. Millman
Robert A. Millman
Reg. No. 36,217

Date: 07/11/2000

CELERA GENOMICS CORP.
45 West Gude Drive
Rockville, MD 20850, C2-4#20
(240) 453-3067



#5 1655
10-15-01
μCD-Rom

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: J. Craig VENTER et al.

Art Unit: 1655

OCT 12 2001

Serial No. 09/614,150

Examiner: S. Zitomer

TECH CENTER 1600/2900

Filed: July 11, 2000

Atty. Docket: CL000728

For: DETECTION KITS, SUCH AS NUCLEIC ACID
ARRAYS, FOR DETECTING THE EXPRESSION OF
10,000 OR MORE DROSOPHILA GENES AND USES
THEREOF

**Response to Office Action and
Transmittal Letter Providing Submission of CD-R**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed October 3, 2001, Applicants submit herewith CD-Rs labeled CL000728CDR Copy 1 and Copy 2. The CD-Rs contain the following files:

1. File **SEQLIST 43006+2.TXT** contains a copy of the sequence listing of the present application. File size is 180,628 KB, dated July 11, 2000.
2. File **Drosophila_Genes_Transcripts_Proteins.doc** provides the results of detailed computer analysis of the Drosophila Genome. The file provides for every identified Drosophila gene/coding region, including genomic nucleic acid sequences that span each gene, predicted transcript sequences, and predicted protein sequences. The size of this file is 118,675 KB and is stored as an MSWord document and labeled Figure Sheet 1 through 20,819, dated July 7, 2000.
3. File **728_Table_1.TXT** is the same as Item 2 above, but saved as an ASCII file. As such, it contains no new matter. File size is 111,490 KB, dated October 8, 2001.

The material contained on the CD-R (in duplicate) is hereby incorporated by reference pursuant to 37 CFR 1.77(b)(4).



Background

On July 11, 2000, Applicants submitted the above-referenced application together with a List of Inventors and Priority Information, Submission of CD-R and Sequence Listing CD-ROM together with two (2) copies of the CD-ROM, and Petition Under 37 CFR 1.183 to Suspend Rules and Allow Submission of Sections of Application on CD-R Format. Copies of the Receipt Postcards, Transmittal, Petition, CD-R mailers, and Submission of CD-R are attached.

This application was filed before the modification of Patent Office rules to allow the submission of data on CD-R, hence the filing of a Petition to do so. The file **Drosophila_Genes_Transcripts_Proteins.doc** contains the drawing figures of the application and is 20,819 pages in length. The file **SEQLIST 43006+2.TXT** is in excess of 20,000 pages in length. Due to the large size of these files, the printed copies of these files were not filed; however, the computer readable copies were filed on July 11, 2000 in duplicate.

In Conclusion

The CD-Rs (in duplicate) referred to above include copies of the computer readable files as filed on July 11, 2000 (Items 1 and 2). In addition, and in accordance with section 1.52(e)(1), Applicants have submitted herewith the drawing figures in the alternative as a table (Item 3.). The table (Item 3) is identical to the figures (Item 2) submitted on July 11, 2000 except that the table is saved in ASCII format in order to comply with Patent Office rules for submission of tables on CD-R. Therefore, the table (item 3) contains no new matter and merely provides previously submitted data in ASCII format.


Since the printed copy of the sequence listing has not been provided due to sheer volume, Applicants respectfully assert that a statement that the content of the paper and computer readable copies are the same is not necessary.

It is respectfully believed that this application complies with all requirements and is now in condition for processing.

Respectfully submitted,
CELERA GENOMICS

Date: October 9, 2001

Celera Genomics Corporation
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Fax: 240-453-3084

By: 
Justin D. Karjala, Reg No. 43,704